IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE ELEVENTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI BILAL NAZKI, THE ACTING CHIEF JUSTICE

And
THE HON'BLE SRI JUSTICE G.CHANDRAIAH

WRIT PETITION NO : 11242 of 2005

Between:

Duddu Kusuma Kumari, W/o. Prabhakar,
R/o. Ambedkar Nagar, Chimakurthi, Prakasam District.

..... PETITIONER

AND

1 The Station House Officer, Chimakurthi P.S. Prakasam District.
2 The Superintendent of Police, Prakasam District.
3 The Director General of Police & Inspector General Police, Lakdikapool, HYderabad.
4 The Home Secretary, Department of Home, Secretariat Buildings,

Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an order or orders more particularly one in the nature of Writ of Habeas Corpus direct the Respondents herein to produce the detenues namely Duddu Prabhakr S/o. Thirupal, aged about 39 Years, Occ: Agriculturist R/o. Ambedkarnagar, Chimakurthi, Prakasadm District before this Hon'ble Court and record the statements of the detenues and set them free and basing on their statement this Hon'ble Court may be pleased to direct the respondent No. 4 herein to punish the erring Police Officials and award appropriate Compensation to the detenues herein and pass such other order or orders as this Hon'ble Court may deem fit and proper in the

circumstances of the case.

Counsel for the Petitioner : MR.V.RAGHUNATH

Counsel for the Respondents : THE ADVOCATE GENERAL

The Court made the following :

ORDER : (Per Hon'ble Sri Bilal Nazki, ACJ)

During the course of hearing of this writ petition, we had directed that the Magistrate concerned shall record the statement about the torture to which the alleged detenus were subjected to by the Police during their confinement. Statement has now been recorded by the Magistrate, in which, serious allegations have been levelled against various Police Officers.

The learned Advocate-General has appeared and has assured this Court that suitable departmental action shall be taken against the officers if the allegations levelled are proved right in an enquiry, which the Department will hold. He also assures that there will be prima facie a criminal case, and then consequential steps of prosecuting the guilty shall also be taken.

In view of this assurance, no further orders are necessary to be passed in this writ petition, which is accordingly closed. No order as to costs.

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(BILAL NAZKI, ACJ)

11th July 2005.

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(G.CHANDRAIAH, J)

ajr

……REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Station House Officer, Chimakurthi P.S. Prakasam District.
2 The Superintendent of Police, Prakasam District.
3 The Director General of Police & Inspector General Police, Lakdikapool, HYderabad.
4 The Home Secretary, Department of Home, Secretariat Buildings,

Hyderabad.

5 Two C.Cs. to the Advocate-General, High Court of A.P., Hyderabad (OUT)

6 Two C.D. copies.

7 1 CC to MR.RAGHUNATH